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| APPLICATION NO.   | FILING DATE    | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.    | CONFIRMATION NO |
|---|----------------|----------------------|------------------------|-----------------|
| 10/032,066  | 12/31/2001     | Osamu Hashimoto      | 217780US3              | 5654            |
| 22850 7   | 590 03/23/2004 |                      | EXAMINER               |                 |
| OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.<br>1940 DUKE STREET<br>ALEXANDRIA, VA 22314 |                |                      | EASHOO, MARK           |                 |
|   |                |                      | ART UNIT               | PAPER NUMBER    |
| ALEXANDRI   | A, VA 22314    | •                    | 1732                   |                 |
|   |                |                      | DATE MAILED: 03/23/200 | 4               |

Please find below and/or attached an Office communication concerning this application or proceeding.

| 1) Responsive to communication(s) filed on 31 December 2001.  2a) This action is FINAL.  2b) This action is non-final.  3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 1-11 is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5) Claim(s) is/are allowed.  6) Claim(s) is/are rejected.  7) Claim(s) is/are objected to.  8) Claim(s) 1-11 are subject to restriction and/or election requirement.  Application Papers  9) The specification is objected to by the Examiner.  10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  |   | Application No.  | Applicant(s)  |  |  |  |  |  |
|--|---|--|---|--|--|--|--|--|
| Mark Eashoo, Ph.D. 1732  - The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  If the period for reply specified store is ass that thirty (0) disp, a reply when the state of the communication.  If the period for reply specified store is ass that thirty (0) disp, a reply when the state of the communication.  If the period for reply specified store is ass that thirty (0) disp, a reply when the state of the period for reply specified store is ass that the period for reply specified store is the state of the period for reply specified store is the state of the period for reply specified store is the state of the period for reply specified store is the state of the period for reply specified store is the state of the period for reply specified store is the state of the period for reply specified store is the state of the period for specified store is the state of the period for specified store is the state of the period for specified store is section and state of the period for specified store is section and state of the period for specified store is section and state of the period for specified store is section and state of the period for specified store is section and state of the period specified store is specified and specified specified store is specified and specified spe     | y   | 10/032,066   |   |  |  |  |  |  |
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| THE MAILING DATE OF THIS COMMUNICATION.  Esterions of time may be available under the provisions of 3 CFR 1-13(a). In one event, however, may a reply be limity filled after SIX (b) MONTHS from the railling date of this communication.  It the period may be specified above, the resource of 3 CFR 1-13(a).  It the period was now the provision of 3 CFR 1-13(a).  The period was now the specified above, the resource attaches provided along you will well be considered limely.  The period was now the specified by the specified provided to the specified provided by the office shows the submission of the specified provided by the office shows the specified provided by the office shows the specified provided by the specified by the specified provided by the specified by the specified provided by the specified by the specification is objected to by the Examiner.  Application Papers  9) The specification is objected to by the Examiner.  10) The drawing(s) filed on specified by the Examiner.  Application Papers  9) The specification is objected to by the Examiner.  Application Papers  9) The specification is objected to by the Examiner.  Application Papers  9) The specification is objected to by the Examiner.  Application Papers  9) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some * c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No.  3. Paper Nus/Mild Date.  3. Paper Nus/Mild Date.  3. Notice of Informal Palent Application (PTO-152).  Attachment(s)  1) Notice of Informal Palent Application (PTO-152).   |   | DLVIC CET TO EVDIDE 4 MON  | ITH(S) FROM   |  |  |  |  |  |
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| 7) Claim(s) is/are objected to. 8) Claim(s) is/are objected to. 8) Claim(s) is/are subject to restriction and/or election requirement.  Application Papers  9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.  | 5) Claim(s) is/are allowed.   |  |   |  |  |  |  |  |
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| 3) Information Disclosure Statement(s) (P10-1449 of P10/35/06)   | 2) Notice of Draftsperson's Patent Drawing Review (PTO-946  | "  |   |  |  |  |  |  |
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## **DETAILED ACTION**

## Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- 1. Claims 1-7, drawn to a method of granulating thermosetting resins, classified in class 264, subclass 144.
- II. Claims 8-II, drawn to a granulating apparatus, classified in class 425, subclass 296.

The inventions are distinct, each from the other because of the following reasons:

Inventions of groups I and II are related as process and apparatus for its practice. The inventions are distinct if it can be shown that either: (I) the process as claimed can be practiced by another materially different apparatus or by hand, or (2) the apparatus as claimed can be used to practice another and materially different process. (MPEP § 806.05(e)). In this case, the apparatus as claimed can be used to practice another and materially different process such as one that forms food products (eg. cereal flakes) or thermoplastic granules.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

## Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Eashoo, Ph.D. whose telephone number is (571) 272-1197. The examiner can normally be reached on 7am-3pm EST, Monday - Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Colaianni can be reached on (571) 272-1196. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pairdirect.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at

866-217-9197 (toll-free).

Mark Eashoo, Ph.D. Primary Examiner Art Unit 1732

16 March 2004 me

16/MAR 04